

REMARKS

In response to the Advisory Action of June 14, 2007, please reconsider the present application in view of the above amendments to the claims and the following remarks. Applicant wishes to thank the Examiner for carefully considering the application.

Claims 1-21 are currently pending. Claims 1, 8, and 12 are independent. The remaining claims depend, directly or indirectly, from claims 1, 8, and 12.

By way of this reply, claim 1 has been further amended for clarification purposes. New matter has not been added. Support for these amendments may be clearly found in the specification as originally filed, and for simplicity Applicant respectfully draws attention to Figs. 8-10 of the present application as filed.

Claims 1-3 and 5-7 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,738,978 (“Hendricks”) in view of U.S. Patent No. 6,088,722 (“Herz”). The rejection is respectfully traversed because Hendricks and Herz, whether alone or combined, fail to show or suggest the claimed limitations.

The presently claimed invention is directed to a television rating system for targeted program delivery. Amended independent claim 1 requires, in part, “a contextual behavioral profiling agent included in the client-side system” for “*deriving profiling information related to a television user’s viewing behavior with content and usage-related preferences.*” Advantageously, the presently claimed invention provides an intelligent

and flexible method for targeted program delivery. As implied in the instant Advisory Action, none of the cited references shows or suggests the above-mentioned claim limitations.

The instant Advisory Action (page 5, lines 1-3) responded to Applicant's arguments by directing "Applicant's attention to the Office action of January 26, 2007, p. 4, first two paragraphs which addressed the above-mentioned limitations." Applicant respectfully disagrees. The above-cited portion of the Office Action of January 26, 2007 has nothing to do with the claimed limitations, but merely addresses motivation to combine. The Office action of January 26, 2007, in fact, failed to address the claim limitations with respect to the claimed "contextual behavioral profiling system" being "included in the client-side system."

The instant Advisory Action further states, "it is noted that the claimed contextual profiling system is not specifically defined in the specification as being included in the client-side system. See [0059]. As best understood, the contextual behavioral profiling system is a system that comprises part of the server-side system, part of database and part of client-side and is not exclusively included in the client-side system."

Applicant hereby respectfully traverses the Advisory Action's interpretation of the claimed invention with respect to the claimed contextual behavioral profiling system. As clearly shown in, *e.g.*, Figs. 8-10 of the present application, reproduced below, the

claimed contextual behavioral profiling system, which comprises the profiling agent, is clearly included in the client side.

For example, Fig. 8 shows that the “profiling agent” is included in the “user TV box.” Figure 9 further shows the “behavioral model” and the “profiling agent” clearly included in the client side. Figure 10 further shows, contrary to the Advisory Action’s assertions, the “behavioral model database” being part of the “profiling agent.”

It is unclear to Applicant why it is asserted that the claimed contextual behavioral profiling system should be considered “a system that comprises part of the server-side system, part of database and part of client-side and is not exclusively included in the client-side system.”

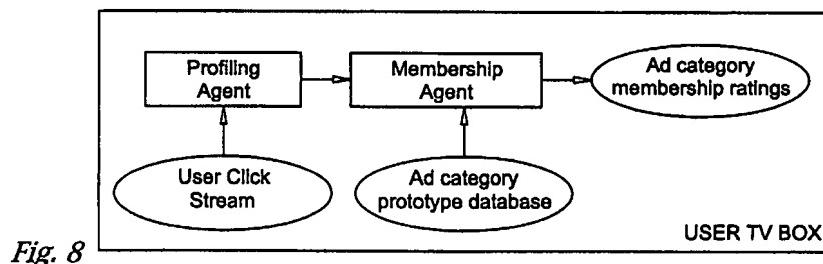


Fig. 8

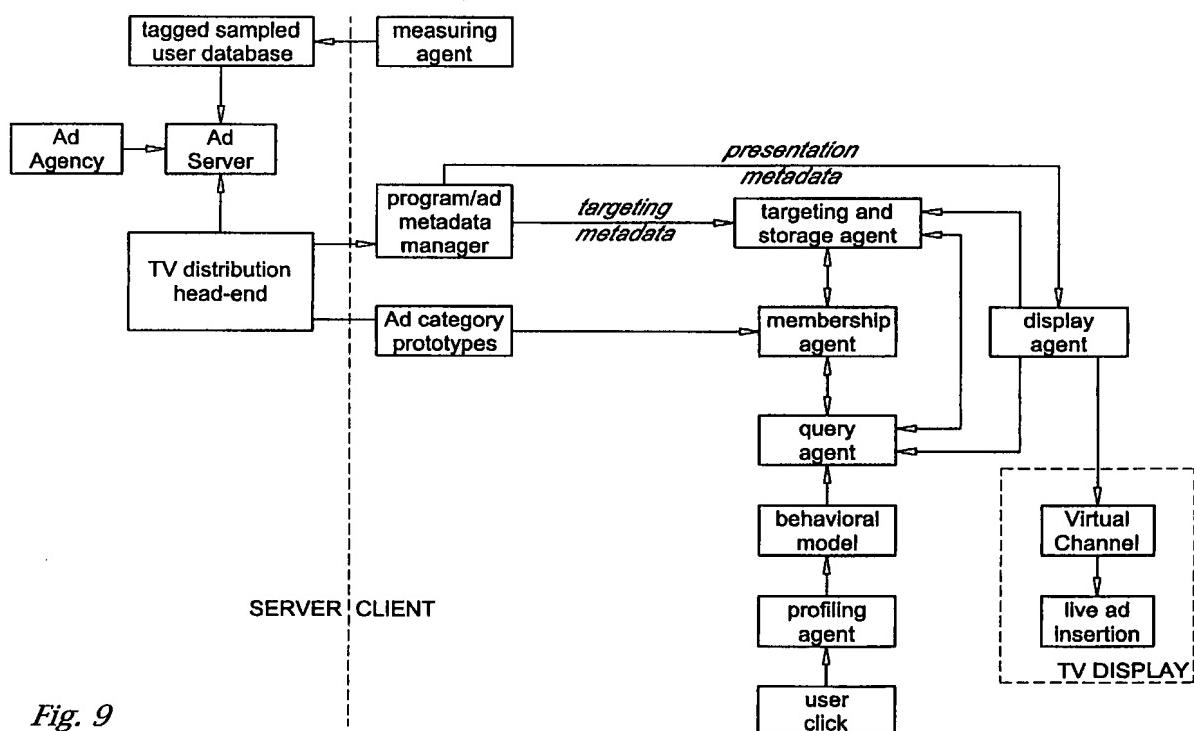


Fig. 9

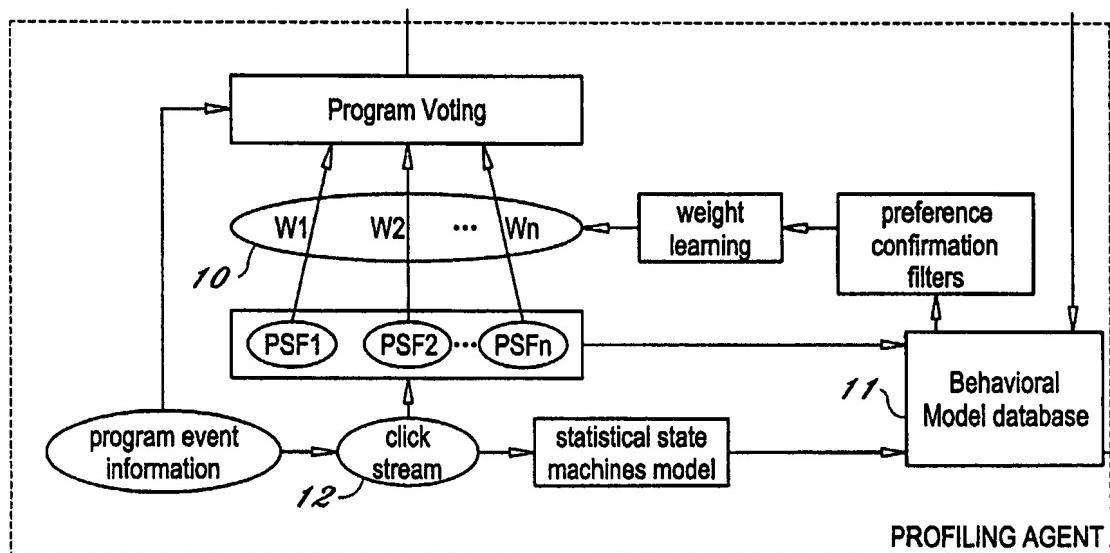


Fig. 10

Further, to help clarify the claimed invention without acquiescing in the rejections, by way of this reply, independent claim 1 has been further amended to specifically recite the contextual profiling agent instead of the contextual profiling system.

Thus, Applicant respectfully submits that the claims as amended are allowable over Hendricks and Herz. In addition to the clear novelty of the novel combination of claim elements, neither Hendricks nor Herz teach nor render obvious including the profiling agent in the client side system as specifically claimed by Applicant and shown in the specification. The remaining claims are allowable both for their own novel sub-features and for their dependency from allowable independent claims. Therefore, Applicant respectfully requests that the rejection of the claims under Section 103 be withdrawn.

CONCLUSION

For these and other reasons, Applicant believes that the rejected claims are in condition for allowance. Reconsideration, re-examination, and allowance of the rejected claims are respectfully requested.

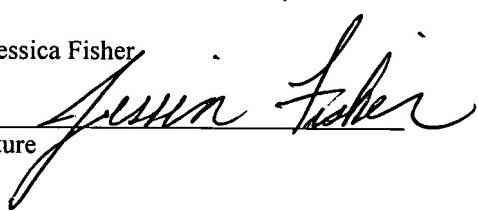
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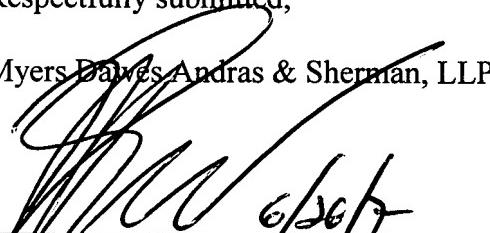
By: Jessica Fisher

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Respectfully submitted,

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